

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Michael TESAR, et al. )

Application No.: 10/588,568 )

Filed: August 4, 2006 )

For: **ANTI-CD38 HUMAN ANTIBODIES AND USES THEREOF**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT REGARDING SEQUENCE LISTING**

Sir:

In connection with the Sequence Listing submitted concurrently herewith, the undersigned hereby confirms that the information recorded in computer-readable form is identical to the paper copy of the sequence listing also submitted herewith and does not include new matter which goes beyond the disclosure of the international application as filed..

Respectfully submitted,

Date: October 14, 2009

/Paul M. Booth/

**Perkins Coie LLP**  
607 Fourteenth St. NW  
Suite 800  
Washington, DC 20005-2003  
Telephone: 202.626.6600  
Facsimile: 202.434.1690

Paul M. Booth  
Attorney for Applicant  
Reg. No.: 40,244

Customer No. 91106